



City of Seattle

Mike McGinn, Mayor

Seattle Human Rights Commission

Roslyn Solomon, Chair

Statement of

Roslyn Solomon, Chair

And

Chris Stearns, Vice-Chair

Seattle Human Rights Commission

Hearing on John T. Williams Shooting

Seattle City Council

Committee on Energy, Technology, and Civil Rights

September 15, 2010

Introduction

The Seattle Human Rights Commission appreciates the opportunity to provide testimony regarding the shooting death of John Williams, and to comment on the existing police complaint and oversight processes (the Office of Professional Accountability and Firearms Review Board), and to provide suggestions regarding some next steps.

Human Rights

The Human Rights Commission supports human rights principles. What that means is that we recognize that every individual, by virtue of being human, is entitled to certain protections and goods from society and is entitled to engage in certain activities. We are all familiar with some of these entitlements, which include freedom of speech, freedom of religion, the right to due process, the right to be free of racial discrimination and so on. Human rights standards expand upon these entitlements. Under human rights principles, every individual is entitled to adequate housing, high-quality healthcare and a high quality education – just to name a few. Our society has yet to recognize these basic underpinnings of well-being as rights; rather we view them as aspirations. The Commission hopes to help change this view in Seattle and elsewhere through its work with other commissions and organizations here and across the country.



Human Rights Implementation

One important aspect of human rights principles is that they place obligations and responsibilities upon all of us. They require that the community – as manifested by local government – to respect, protect, and promote human rights for all individuals. This obligation is progressive, which means that we start with protecting the most vulnerable among us: The homeless, people of color, the disabled, the poor, children. They are the individuals to whom the government must pay particular attention and to whom it should provide the utmost protection. Only when the rights of the most vulnerable are secure, are we to take up protecting the rights of the next most vulnerable group. Human rights principles instruct us to continue in this progressive manner until all individuals are free and able to enjoy the rights to which they are entitled.

The City of Seattle has embraced the Race and Social Justice Initiative which applies to all City Departments and Agencies. The RSJI is aimed at ending institutional racism. Implementation of the RSJI can and has resulted in the review and changing of City policies and practices that result in racial disparities. The RSJI is a successful model can lessen racial disparities and eliminate discrimination.

The investigation regarding the shooting and killing of Mr. Williams

The Human Rights Commission serves Seattle's large Native American community as well as the City's homeless and vulnerable populations. Our former task force on People with Disabilities has grown into a separate commission.

We are deeply saddened by the death of John T. Williams. He was a gifted carver and many of his creations have brought joy and peace into the lives of those who proudly own them. The death of John T. Williams has shocked Seattle's collective conscience.

This singular event has managed to unite a wide array of diverse communities, citizens and leaders alike, around some of our most precious human rights. These are the rights to safety, to peace on the streets, to dignity, to life and liberty, and to equal treatment under law.

Mr. Williams was clearly a member of a number of vulnerable groups. But instead of the government taking particular care to protect him –as human rights principles require – he may have been targeted for disparate treatment. The most fundamental human rights concern, reflected in the obligation to protect vulnerable individuals first, is the concept that a person should not suffer because of who he or she is, but only for what he or she does.



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As the Police Department, the King County Prosecutor, and possibly the U.S. Attorney's Office, conducts a full investigation of the shooting of John T. Williams, we need to be cognizant of human rights principles. These principles should inform our oversight, our analysis, and our suggestions for improvements in government conduct. And, these principles apply equally to all government departments and personnel. We must make sure that an individual's well-being is never compromised because of his or her identity.

Now, to the issue of the investigation: Human rights principles require transparency, and participation of those impacted (e.g., the general public and especially members of the particular vulnerable groups impacted) and by those whose conduct will be possibly modified or analyzed (e.g., police officers). The process must be fair, promote confidence in the government's role, and most importantly, build trust among all members of our community.

To the extent to which the current overview process does not include these elements, it does not meet human rights standards, and we would recommend that it be modified accordingly.

The Seattle Human Rights Commission would like to assist the City in assessing the current oversight process and developing suggested changes as appropriate.

Recommendations

- We recommend that the Committee support the creation of an independent review panel of the John T. Williams shooting that specifically includes members of the Native American, homeless, and People with Disabilities communities. The panel would be similar in nature to the 2007 seven member Advisory Panel on Police Accountability which the City Council created by resolution.
- We further recommend that the Committee support an independent review, led by the Human Rights Commission, of the City's policy for reviewing police shootings. The review would culminate in a report to the City Council and the Mayor.
 - The current process is led by the Firearms Review Board and the Office of Professional Accountability. Both are housed within the Seattle Police Department.
 - There is a growing concern that there may be a need to create an independent review board outside of the Police Department and which reports to the Mayor or City Council but not directly to the Chief of Police.



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- At least five members of the Human Rights Commission will be attending the National Association for Civilian Oversight of Law Enforcement convention here in Seattle next week and will be meeting with members of civilian oversight boards from cities across the country. We believe that this will provide us with an excellent starting point to begin a serious and rigorous study of civilian oversight and accountability models in other cities that could form the basis for Council action.
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 - We would be glad to work closely with the People with Disabilities, LGBT, and Women's commissions, as well with the Office for Civil Rights, and would greatly appreciate the assistance of the City Attorneys Office as well.
- We also support the call by the Firearms Review Board's Citizen Observer, Becky Roe, for the addition of more citizen observers during FRB meetings.
- We further support recommendations that specifically call for the Police Department to quickly implement the Race and Social Justice Initiative. To this end, the Council could direct the Department to provide a formal assessment on a quarterly basis of the Department's implementation of the RSJI. We also suggest that the Council ask the Department to provide copies of its workplan to the public.
- We further recommend that the Police Department conduct a review of its policies and practices measured against the impact those policies and practices have on vulnerable populations. For instance, the Department should review the impact of its Continuum of Force training. Does the application of lethal force or use of handguns impact certain populations more than others?
- We also recommend that the Department identify and assign a sufficient number of officers to the SPD's RSJI Change Team.
- We also recommend that the Department mandate cultural awareness training for all officers and commanders. The Race and the Power of Illusion training, offered by SOCR, should be included in this mandate as should cultural awareness training which CANOES, the City of Seattle Native American Employees Association, can facilitate.

Conclusion

We look forward to working productively together to promote human rights in this City and thereby to improve the functioning of all government departments. While this tragedy has the power to tear apart our City, we are optimistic, and believe that this event can also unite us.